

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

VIVIAN BERT, et al.,

Plaintiffs,

V.

AK STEEL CORPORATION,

Defendant.

CASE NO. C-1-02-467

Judge Beckwith

Magistrate Judge Hogan

PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME

The Plaintiffs move this honorable Court for a two-week extension of the present submission date for their Response to Defendant's Motion of Defendant AK Steel Corporation for Summary Judgment on Counts III and IV of the Second Amended Complaint (Doc. No. 47) filed on January 21, 2005. Pursuant to Local Rule 7.2(a)(2), the Plaintiffs' response is presently due to be filed on February 14, 2005. The requested extension of two weeks would allow the Plaintiffs' response to be filed on February 28, 2005.

In support of their request, the Plaintiffs state the following:

1. Because of conflicts in other existing cases, Plaintiffs' counsel will not have sufficient time to prepare their response to Defendant's motion
2. The Defendant is not opposed to the requested two-week extension of time.
3. Plaintiffs' counsel have conflicts in their schedules involving other cases which includes depositions that are scheduled to be taken, other discovery matters in various cases, and briefs to be filed in other cases.

WHEREFORE, premises considered, the Plaintiffs respectfully request that this Court grant

their Unopposed Motion for Extension of Time so that Plaintiffs' Response to Defendant's Motion for Summary Judgment on Counts III and IV will be due to be submitted on February 28, 2005.

Respectfully submitted,

s/ ***Susan Donahue***

Robert F. Childs, Jr. (*pro hac vice*)

Barry V. Frederick (*pro hac vice*)

Herman Nathaniel Johnson, Jr. (*pro hac vice*)

Susan Gale Donahue (*pro hac vice*)

Allison W. Lowell (*pro hac vice*)

WIGGINS, CHILDS, QUINN & PANTAZIS, LLC

The Kress Building

301 19th Street North

Birmingham, Alabama 35203

(205) 314-0500

(205) 254-1500 (facsimile)

Paul Henry Tobias (OH bar No. 0032415)

David Donald Kammer

TOBIAS, KRAUS & TORCHIA

414 Walnut Street

Suite 911

Cincinnati, Ohio 45202

(513) 241-8137

(513) 241-7863 (facsimile)

David W. Sanford (*pro hac vice*)

SANFORD, WITTELS & HEISLER, L.L.P.

2121 K Street N.W.

Suite 700

Washington, D.C. 20037

(202) 942-9124

(202) 628-8189 (facsimile)

Attorneys for the Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will automatically serve the following:

Mr. Gregory P. Rogers
Mr. Lawrence James Barty
Ms. Patricia Anderson Pryor,
TAFT, STETTINIUS & HOLLISTER, LLP
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202-3957

s/ ***Susan Donahue***
OF COUNSEL